

Via EFS-WEB

PATENT APPLICATION

Docket No: 15420.49.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
	Nelson, et al.)
)
Serial No.:	10/788,799) Art Unit
) 3764
Filing Date:	February 27, 2004)
)
Confirmation No.:	7858)
)
For:	INCLINE ASSEMBLY WITH CAM)
)
Examiner:	Tam M. Nguyen)
)
Customer No.:	022193)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). The enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Statement of Relevance of References Listed
Unaccompanied by English Translation
Under 37 C.F.R. § 1.98(a)(3)

In accordance with 37 C.F.R. § 1.98(a)(3), the following concise explanation of the relevance of the following listed reference, which is not in the English language, and is unaccompanied by a translation into English is provided:

PCT Application No. WO 03/101543 A1 discloses the following exercise device:

Abstract: The invention relates to a treadmill comprising a front cylinder (1), which is height-adjustable and rotationally mounted, a rear cylinder, which is rotationally mounted and a belt (3), which runs around the front cylinder (1) and the rear cylinder and whose external surface forms the running surface (31) of the treadmill. The treadmill has at least one strut (4) that can be extended, on which the front cylinder (1) can be mounted, at least by indirect means.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the required references or relevant portion thereof is also enclosed.

Dated this 26th day of September 2008.

Respectfully submitted,

/David B. Dellenbach/ Reg #39166
DAVID B. DELLENBACH

Attorney for Applicant
Registration No. 39,166
Customer No. 022913
Telephone No. 801.533.9800

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TRANSMITTAL FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- ☒ Statement of relevance of selected cited references not in the English language which are not translated.
- ☐ Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.
- ☐ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- ☒ Form PTO-1449 listing 31 reference submitted for consideration.
- ☒ A copy of 12 references listed on the Form PTO-1449.
- ☐ English translations of ____ (____) of the references listed on the Form PTO-1449 which are not in the English language.
- ☐ Copies of the following documents from the prosecution of a previous, related application:
 - ☐ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
 - ☐ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. ☐ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. ☒ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
 - ☐ Promptness Certification; or
 - ☒ Credit card payment in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. ☐ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
 - ☐ Promptness Certificate;
 - ☐ Petition for Consideration; and

- ___ Check No. in the amount of ___ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).
- IV. ___ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
- ___ Petition to Withdraw from Issue; and
- ___ Check No. ___ in the amount of ___ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to **Deposit Account No. 23-3178**: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefor and charge any additional fees that may be required to **Deposit Account No. 23-3178**.

Dated this 26th day of September 2008.

Respectfully submitted,

/David B. Dellenbach/ Reg #39166
DAVID B. DELLENBACH

Attorney for Applicant
Registration No. 39,166
Customer No. 022913
Telephone No. 801.533.9800